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18 Attorneys for Defendant ABILENE
19 MOTOR EXPRESS, INC.

20 UNITED STATES DISTRICT COURT
21 CENTRAL DISTRICT OF CALIFORNIA

22 LARRY GRAVESTOCK, individually,
23 and on behalf of other members of the
24 general public similarly situated,

25 Plaintiff,

26 vs.

27 ABILENE MOTOR EXPRESS, INC., a
28 Virginia corporation, and DOES 1-10,
inclusive,

Defendants.

CASE NO. 8:14-cv-00170-JVS-RNB

The Hon. James V. Selna
Courtroom 10C

**STIPULATION TO CONTINUE
CLASS CERTIFICATION
DEADLINES**

Action Filed: December 19, 2013
Trial Date: None Set

1 Plaintiff Larry Gravestock ("Plaintiff") and Defendant Abilene Motor
2 Express, Inc. ("Defendant"), through their respective undersigned counsel, hereby
3 respectfully stipulate as follows:

4 WHEREAS, on September 22, 2015, the parties agreed to mediate the
5 claims alleged in this case prior to briefing (and the Court hearing) Plaintiff's
6 anticipated Motion for Class Certification;

7 WHEREAS, on October 8, 2015, the parties confirmed a mediation date of
8 March 21, 2016, with the parties' agreed-upon mediator, Jeffrey Krivis of First
9 Mediation, which was his first available mediation date;

10 WHEREAS, on March 21, 2016, the parties engaged in a full-day mediation.
11 While the mediation did not result in a class-wide settlement, the parties made
12 progress on moving towards a resolution of this matter;

13 WHEREAS, as the parties approached the litigation after the mediation,
14 Defendant agreed to supplement and produce a number of additional documents,
15 including the class list, satellite data demonstrating, *inter alia*, the whereabouts of
16 Defendant's trucks during the relevant time period, documents demonstrating its
17 practices as it relates to time worked by class members that was allegedly
18 performed without pay and documents related to Defendant's vacation policies;

19 WHEREAS, Defendant has been working on producing these documents,
20 but as of June has only produced a spreadsheet regarding Defendant's practices
21 related to class members who filled their trucked with gas in California without
22 pay;

23 WHEREAS, Defendant anticipates that it will produce and supplement its
24 discovery responses by July 15, 2016;

25 THEREFORE, the parties hereby stipulate and agree that good cause exists
26 to continue the following class certification deadline and trial-related dates as
27

1 follows:

2 Event	3 Current Deadline	4 Proposed Deadline
5 Last day for Plaintiff to 6 file Motion for Class 7 Certification	8 August 2, 2016	9 November 1, 2016
10 Last day for Defendant 11 to file Opposition to 12 Class Certification	13 August 9, 2016	14 November 8, 2016
15 Last day for Plaintiff to 16 file Reply for Class 17 Certification	18 August 16, 2016	19 November 15, 2016
20 Hearing date for Motion 21 for Class Certification	22 August 30, 2016, 1:30 23 p.m.	24 November 29, 2016, 1:30 25 p.m.

26 **IT IS SO STIPULATED.**

27 I, Shawn C. Westrick, attest that all other signatories listed, and on whose
28 behalf this filing is submitted, concur in the filing's content and have authorized
this filing.

29 DATED: June 13, 2016

Respectfully submitted,

**LEWIS BRISBOIS BISGAARD &
SMITH LLP**

By: /s/ Tracy Wei Costantino

1 John L. Barber
2 Tracy Wei Costantino
3 Attorneys for Defendant Abilene Motor
4 Express, Inc.

5 DATED: June 13, 2016

Respectfully submitted,

6 **KAWAHITO WESTRICK LLP**

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9 By: \s\ Shawn C. Westrick
10 Shawn C. Westrick
11 Attorneys for Plaintiff Larry Gravestock
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